



# Church Property Measure 2018

2018 No. 8

## PART 1

### PARSONAGE LAND

#### *Procedure*

#### **12 Conveyancing formalities**

- (1) Where a house or other land is bought, sold or exchanged under this Part, the transfer must be made by or to—
  - (a) the incumbent of the benefice in the capacity as a corporation sole, or
  - (b) where the benefice is vacant, the bishop of the diocese in the name and on behalf of the incumbent in the capacity as a corporation sole.
- (2) In a case within subsection (1)(b), once the vacancy is filled, the transfer may not be disclaimed or renounced by an incumbent succeeding to the benefice.
- (3) Every transfer of a house or other land bought or acquired by way of exchange for a benefice under this Part must be filed in the registry of the diocese concerned in the manner specified in rules.
- (4) Where a house or other land sold or exchanged under this Part is subject to a mortgage or charge in favour of the Church Commissioners, the document giving effect to the sale or exchange discharges the land or buildings from the mortgage or charge; and the mortgage or charge attaches—
  - (a) in the case of a sale, to the money arising from the sale;
  - (b) in the case of an exchange, to the house or other land acquired on the exchange and to any money paid to the Parsonages Board for equality of exchange.
- (5) A deed or other document made under or for the purposes of this Part is not liable to stamp duty land tax.